

IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION AT MEMPHIS

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05 MAY -5 AM 11:52

W.M. BARR & COMPANY, INC.

)

ROBERT M. THOLLO  
CLERK, U.S. DIST. CT.  
W.D. OF TN, MEMPHIS

Plaintiff,

)

vs.

)

NORTH AMERICAN CAPACITY INSURANCE  
COMPANY, AS SUCCESSOR IN INTEREST TO  
UNDERWRITERS INSURANCE CO AS TO  
POLICY NUMBER BCG000432

)

No. 03-2969BA

Defendant-Third Party Plaintiff,

)

vs.

)

LEXINGTON INSURANCE COMPANY

)

Third-Party Defendant.

)

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**ORDER GRANTING LEXINGTON INSURANCE COMPANY LEAVE  
TO FILE THIRD-PARTY COMPLAINT**

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The Court, having considered the Motion of Lexington Insurance Company for Leave to File Third-Party Complaint, finds that the Motion is well-taken and should be granted.

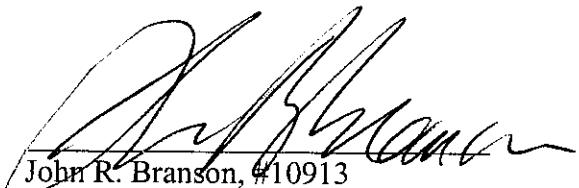
IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Motion is granted and Lexington Insurance Company is hereby granted leave to file its Third-Party Complaint.



DISTRICT JUDGE J. DANIEL BREEN

Date: May 4, 2005

APPROVED:



John R. Branson, #10913  
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Lexington Insurance Company  
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Honorable J. Breen  
US DISTRICT COURT